

KELLEY CONNOLLY BARNABY (*pro hac vice*)
ALSTON & BIRD LLP
950 F Street, NW
Washington, DC 20004
Telephone: 202.239.3300
Facsimile: 202.239.3333
E-mail: kelly.barnaby@alston.com

DAVID B. CARPENTER, (*pro hac vice*)
ALSTON & BIRD LLP
1201 West Peachtree Street, Suite 4900
Atlanta, GA 30309
Telephone: 404.881.7000
Facsimile: 404.881.7777
E-mail: david.carpenter@alston.com

TRACY YAO (State Bar No. 323816)
ALSTON & BIRD LLP
55 Second Street, Suite 2100
San Francisco, CA 94105
Telephone: 415-243-1000
Facsimile: 415-243-1001
E-mail: tracy.yao@alston.com

Attorneys for Defendant NBT BANK, N.A.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CAMERON BEATTY, individually
and on behalf of all others similarly
situated,

Plaintiff,

v.

SUNGAGE FINANCIAL, LLC, a
Massachusetts limited liability
company; NBT BANK, N.A., a New
York Corporation; SUNMADE
ENERGY, LLC, a California limited
liability company; PG&E
CORPORATION, a California
Corporation, PACIFIC GAS &
ELECTRIC COMPANY, a California
Corporation, and DOES 1 through 50,
inclusive,,

Defendants.

Case No. 1:25-cv-00645-KES-SKO

**JOINT STIPULATION AND ORDER
RE AMENDED COMPLAINT,
MOTION TO DISMISS BRIEFING
SCHEDULE, AND CONTINUING THE
INITIAL SCHEDULING
CONFERENCE**

(Doc. 24)

Filing Date: August 15, 2025
Trial Date: None set

1 Plaintiff Cameron Beatty and Defendants Sungage Financial, LLC (“Sungage”);
2 NBT Bank, N.A. (“NBT”); and PG&E Corporation, and Pacific Gas & Electric
3 Company (collectively, “PG&E”), by and through their counsel, hereby make the
4 following stipulations regarding Plaintiff’s anticipated amended complaint and
5 Defendants’ response thereto and also jointly request that the Initial Scheduling
6 Conference be continued.

7 WHEREAS, on May 30, 2025, Plaintiff filed the Complaint in the above-
8 captioned lawsuit;

9 WHEREAS, on June 17, 2025, Plaintiff sent a request for waiver of the service
10 of the summons to Sungage;

11 WHEREAS, Sungage agreed to waive the service of the summons, and
12 Sungage’s current deadline to respond to the Complaint is August 18, 2025;

13 WHEREAS, Plaintiff filed proofs of service stating that PG&E was served with
14 the Complaint on June 20, 2025,

15 WHEREAS, on July 10, 2025, the Court granted Plaintiff, PG&E Corporation,
16 and Pacific Gas and Electric Company’s stipulation to extend PG&E’s deadline to
17 respond to the Complaint from July 11, 2025, to August 25, 2025;

18 WHEREAS, on July 3, 2025, Plaintiff sent a request for waiver of service of the
19 summons to NBT;

20 WHEREAS, NBT agreed to waive the service of the summons, and NBT’s
21 current deadline to respond to the Complaint is September 2, 2025;

22 WHEREAS, Defendants currently have differing deadlines for responding to the
23 Complaint and each intends to move to dismiss the Complaint,

24 WHEREAS, Plaintiff intends to amend the Complaint;

25 WHEREAS, the Initial Scheduling Conference is currently set for September 4,
26 2025, before the Honorable Sheila K. Oberto;

27 WHEREAS, in the interest of litigation efficiency and judicial economy, the
28 Parties have agreed a deadline by which Plaintiff will file an amended complaint and a

1 briefing schedule for the anticipated motions to dismiss the amended complaint and
2 jointly request the Initial Scheduling Conference be continued to a date after any
3 anticipated motions to dismiss are heard;

4 THEREFORE, subject to the Court's approval, the Parties HEREBY
5 STIPULATE as follows:

6 1. Plaintiff shall have until September 30, 2025 to meet and confer with the
7 parties regarding the allegations in the initial Complaint and to file an amended
8 complaint;

9 2. Defendants need not respond to the initial Complaint, and Plaintiff will not
10 seek default against any Defendant for failure to respond to the initial complaint;

11 3. Defendants' deadline to respond to the amended complaint will be October
12 30, 2025;

13 4. Any motions to dismiss shall be noticed for hearing in accordance with
14 Local Rule 230 for a date convenient for District Judge Kirk E. Sherriff, with all motions
15 to dismiss being scheduled on the same date;

16 5. Plaintiff's opposition(s) to any motions to dismiss and Defendants' replies
17 shall be filed according to the deadlines set forth in Local Rule 230; and

18 6. The Initial Scheduling Conference, currently set for September 4, 2025,
19 and all related deadlines, will be rescheduled to a date after the motions to dismiss are
20 heard, as set by the court.

21
22 Dated: August 18, 2025

LAW OFFICES OF JASON M. INGBER

23
24
25 By: /s/ Jason M. Ingber (as authorized on 8/18/25)
26 Jason M. Ingber
27 Attorneys for Plaintiff Cameron Beatty
28

1 Dated: August 18, 2025

GOUGH & HANCOCK

2
3 By: /s/Laura Goodman (as authorized on 8/18/25)
4 Laura L. Goodman
5 Gayle L Gough
6 Attorneys for Defendant PG&E Corporation
and Pacific Gas & Electric Company

7 Dated: August 18, 2025

WIECHERT, MUNK & GOLDSTEIN

8
9
10 By: /s/Jessica Munk (as authorized on 8/18/25)
11 Jessica C. Munk
12 Daniel M. Rabinovitz, PHV
Attorneys for Defendant Sungage Financial,
LLC

13
14 Dated: August 18, 2025

MURPHY & KING

15
16 By: /s/ Dan Rabinovitz (as authorized on 8/18/25)
17 Daniel J. Goodrich, PHV
18 Daniel M. Rabinovitz, PHV
Attorneys for Defendant Sungage Financial,
19 LLC

20 Dated: August 18, 2025

ALSTON & BIRD LLP

21
22
23 By: /s/Tracy Yao
24 Tracy Yao
25 David B. Carpenter, PHV
Kelley Connolly Barnaby, PHV
Attorneys for Defendant NBT BANK, N.A.

ORDER

Based on the Parties' foregoing Stipulation (Doc. 24), and good cause appearing, the Court hereby ORDERS as follows:

1. Plaintiff shall have until September 30, 2025 to file an amended complaint;
2. Defendants need not respond to the initial Complaint, and Plaintiff will not seek default against any Defendant for failure to respond to the initial complaint;
3. Defendants' deadline to respond to the amended complaint is October 30, 2025;
4. Any motions to dismiss shall be noticed for hearing in accordance with Local Rule 230 for a date convenient for District Judge Kirk E. Sherriff, with all motions to dismiss being scheduled on the same date;
5. Plaintiff's opposition(s) to any motions to dismiss and Defendants' replies shall be filed according to the deadlines set forth in Local Rule 230; and
6. The Initial Scheduling Conference, currently set for September 4, 2025, and all related deadlines, is CONTINUED to January 29, 2026, at 9:30 AM before Magistrate Judge Sheila K. Oberto. The parties shall file a joint scheduling report seven (7) days before the Scheduling Conference.

IT IS SO ORDERED.

Dated: August 18, 2025

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE